

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION

NO. 7:17-cr-97-1H(2)  
NO. 7:17-cr-97-2H(2)  
NO. 7:17-cr-97-3H(2)

UNITED STATES OF AMERICA, )

v. )

INDICTMENT

JAMES SPENCER BELL, )

LAMONT ANDRE COVINGTON, and )

GARRON MCMILLIAN )

The Grand Jury charges that:

COUNT ONE

21 U.S.C. § 841(a) (1)

(Possession with Intent to Distribute Cocaine Base)

On or about May 20, 2016, in the Eastern District of North Carolina, JAMES SPENCER BELL, the defendant herein, did knowingly and intentionally possess with intent to distribute a quantity of a mixture and substance containing a detectible amount of cocaine base, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a) (1).

COUNT TWO

18 U.S.C. § 924(c) (1) (A)

(Possession of a Firearm in Furtherance of  
a Drug Trafficking Crime)

On or about May 20, 2016, in the Eastern District of North Carolina, JAMES SPENCER BELL, the defendant herein, did use and carry a firearm during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States,

that is, possession with intent to distribute a quantity of cocaine base, a Schedule II controlled substance, as set forth in Count One of this Indictment, and did possess said firearm in furtherance of said crime.

It is further alleged that said firearm was brandished in violation of Title 18 United States Code, Section 924(c) (1) (A) (ii).

It is further alleged that said firearm was discharged in violation of Title 18 United States Code, Section 924(c) (1) (A) (iii).

All in violation of Title 18, United States Code, Section 924(c) (1) (A).

**COUNT THREE**

18 U.S.C. § 924(c) (1) (A)  
(Possession of a Firearm by a Felon)

On or about May 20, 2016, in the Eastern District of North Carolina, JAMES SPENCER BELL, the defendant herein, having been convicted of a crime punishable by imprisonment for a term exceeding one (1) year, did knowingly possess, in and affecting commerce, a firearm, in violation of Title 18, United States Code, Sections 922(g) (1) and 924.

**COUNT FOUR**

18 U.S.C. § 924(c) (1) (A)  
(Possession of a Firearm by a Felon)

On or about May 20, 2016, in the Eastern District of North Carolina, LAMONT ANDRE COVINGTON, the defendant herein, having

been convicted of a crime punishable by imprisonment for a term exceeding one (1) year, did knowingly possess, in and affecting commerce, a firearm, in violation of Title 18, United States Code, Sections 922(g)(1) and 924.

**COUNT FIVE**

21 U.S.C. § 841(a)(1)

(Possession with Intent to Distribute Cocaine Base)

On or about February 10, 2017, in the Eastern District of North Carolina, JAMES SPENCER BELL, the defendant herein, did knowingly and intentionally possess with intent to distribute a quantity of a mixture and substance containing a detectible amount of cocaine base, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

**COUNT SIX**

18 U.S.C. § 924(c)(1)(A)

(Possession of a Firearm in Furtherance of  
a Drug Trafficking Crime)

On or about February 10, 2017, in the Eastern District of North Carolina, JAMES SPENCER BELL, the defendant herein, did use and carry a firearm during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, possession with intent to distribute a quantity of cocaine base, a Schedule II controlled substance, as set forth in Count Five of this Indictment, and did possess said firearm in furtherance of said crime, all in violation of Title 18, United States Code, Sections 924(c).

**COUNT SEVEN**

(Possession of a Firearm by a Felon)

On or about February 10, 2017, in the Eastern District of North Carolina, JAMES SPENCER BELL and GARRON MCMILLIAN, the defendants herein, aiding and abetting each other, each having been convicted of a crime punishable by imprisonment for a term exceeding one (1) year, did knowingly possess, in and affecting commerce, firearm(s), in violation of Title 18, United States Code, Sections 922(g)(1), 924, and 2.

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ALLEGATION OF PRIOR CONVICTIONS

For purposes of Title 21, United States Code, Sections 841(b) and 851, the defendant herein, JAMES SPENCER BELL, committed the violations alleged in Counts One and Five of the Indictment after at least one (1) prior conviction for a felony drug offense as defined in Title 21, United States Code, Section 802(44), had become final.

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### FORFEITURE NOTICE

The defendants are given notice that pursuant to the provisions of Title 21, United States Code, Section 853 that all of their interest in all property specified herein is subject to forfeiture.

As a result of the foregoing offense, the defendants shall forfeit to the United States any and all property constituting, or derived from, any proceeds the defendant obtained directly or indirectly as a result of the said offense and any and all property used or intended to be used in any manner or part to commit or to facilitate the commission of the offense alleged in the Indictment, or any property traceable to such property. The property to be forfeited to the United States includes, but is not limited to the following property:

- (a) Glock, model 32, .357 caliber semi-automatic pistol bearing serial number ZXZ2122;
- (b) Cobra, model CA389. .380 caliber semi-automatic pistol bearing serial number CPQ29778;
- (c) Glock, model 23, .40 caliber pistol bearing serial number STX649;
- (d) Springfield, model XD45 ACP, .45 caliber semi-automatic pistol bearing serial number US738690; and
- (e) All related ammunition.

If any of the above-described forfeitable property, as a result of any act or omission a defendant,

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third person;

(3) has been placed beyond the jurisdiction of the court;

(4) has been substantially diminished in value; or

(5) has been commingled with other property which cannot be subdivided without difficulty; it is the intent of the United States to seek forfeiture of any other property of the defendant up to the value of the above-described forfeitable property, pursuant to Title 21, United States Code, Section 853(p).

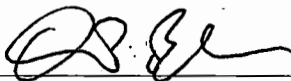
**REDACTED VERSION**

~~A TRUE~~ BILL: Pursuant to the E-Government Act and the federal rules, the unredacted version of this document has been filed under seal.

~~FOR PERSON~~

8/15/2017  
DATE

JOHN STUART BRUCE  
United States Attorney



BY: DANIEL P. BUBAR  
Assistant United States Attorney  
Criminal Division